

PATENT  
Attorney Docket No.: 28951.5197

REMARKS

Claims 2-6 and 8-21, as amended, remain herein. Claims 8-13 remain herein but are currently withdrawn from consideration. Claims 14-21 are newly added.

Claim 2 has been amended additionally to recite that “said actuator and said inertial arm have a ratio of inertia of 1.7 to 1 and a ratio of distances to a meshing point of 1.7 to 1”. Claim 4 has been amended additionally to recite that “said wind receiver that receives said force of air flow has a leading edge that forms an obtuse angle with said inertial arm”. Support for the amendment to Claim 2 appears in the specification on page 15 lines 23-28. Support for the amendment to Claim 4 appears in the specification in Figure 10.

Applicants note and appreciate the Examiner's statements about the correct number of the priority application whose date is claimed by the instant application. Applicants' attorney apologizes for the clerical errors in the Amendment filed herein on July 24, 2005. Applicants appreciate the withdrawal of the earlier rejection.

1. Claims 2-3 and 5-6 were rejected under 35 U.S.C. § 103(a) over Campbell U.S. Patent 4,692,829 in view of Reinhart U.S. Patent 5,734,527 and Mastache U.S. Patent 5,528,437.

Claim 2, as amended, now recites the additional limitation that “said actuator and said inertial arm have a ratio of inertia of 1.7 to 1 and a ratio of distances to a meshing point of 1.7 to 1.”

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Campbell discloses a disk drive that includes an actuator and an inertial arm. However, Campbell is silent about the geometry of the actuator and the inertial arm. Campbell does not discuss ratios of inertia, or the ratio of distances to a meshing point. Thus, Campbell does not teach or suggest that “said actuator and said inertial arm have a ratio of inertia of 1.7 to 1 and a ratio of distances to a meshing point of 1.7 to 1” as presently claimed by Applicants.

Neither Reinhart nor Mastache supplies what is lacking in Campbell, as discussed above. As with Campbell, both Reinhart and Mastache disclose disk drives that include an actuator and an inertial arm. However, neither of them teaches or suggests the limitations of amended Claim 2 with respect to the ratio of inertia or the ratio of distances to a meshing point. Thus, there is no disclosure or teaching in any of Campbell, Reinhart, or Mastache that would have suggested Applicants’ claimed invention to one of ordinary skill in the art. Further, there is no disclosure or teaching in any of Campbell, Reinhart, or Mastache that would have suggested the desirability of combining any portions thereof effectively to anticipate or suggest Applicants’ presently claimed invention. Withdrawal of this rejection of Claims 2-3 and 5-6, and allowance of the same are therefore respectfully requested.

2. Claim 4 was rejected under 35 U.S.C. § 103(a) over Campbell U.S. Patent 4,692,829 in view of Reinhart U.S. Patent 5,734,527.

Claim 4, as amended, now recites that the “wind receiver that receives said force of air flow has a leading edge that forms an obtuse angle with said inertial arm.”

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Campbell discloses a disk drive that includes an aerodynamically released shipping latch member 32 that has a single airvane portion 34 and pivots about pin 42. (See Campbell '829, col. 4, lines 17-35) Campbell, in contrast to the presently claimed invention, discloses that the leading edge of the aerodynamic latch member 32 is straight, as illustrated in Campbell's Fig. 1. Thus, Campbell does not teach or suggest a "wind receiver that receives said force of air flow has a leading edge that forms an obtuse angle with said inertial arm."

Reinhart does not supply what is lacking in Campbell, as discussed above. Reinhart teaches a disk drive that does not include an air driven latch. Thus, there is no disclosure or teaching in either of Campbell or Reinhart that would have suggested Applicants' claimed invention to one of ordinary skill in the art. Further, there is no disclosure or teaching in either Campbell or Reinhart that would have suggested the desirability of combining any portions thereof effectively to anticipate or suggest Applicants' presently claimed invention. Withdrawal of this rejection of Claim 4 and allowance of the same are therefore respectfully requested.

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The application is now fully in condition for allowance, and a notice to that effect is respectfully requested. The Commissioner is hereby authorized to charge/credit any fee deficiencies or overpayments to Deposit Account No. 19-4293 (Order No. 28951.5197). If further changes could put this application in even better condition for issue, the Examiner is invited to call Applicants' undersigned attorney at the number listed below.

Respectfully submitted,

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